

U.S.A. vs Octavio Alejandro Duarte-Lopez No. 08CR532-WQH

The Court finds excludable delay, under the section indicated by check (), commenced on 03/14/08 and ended on 06/2/08; ()
() and ended on . ()

<u>3161(h)</u>		
<u> (1) (A)</u>	Exam or hrg for mental or physical incapacity	A
<u> (1) (B)</u>	NARA examination (28:2902)	B
<u> (1) (D)</u>	State or Federal trials or other charges pending	C
<u> (1) (E)</u>	Interlocutory appeals	D
<u> (1) (F)</u>	Pretrial motions (from flg to hrg or other prompt dispo)	E
<u> (1) (G)</u>	Transfers from other district (per FRCrP 20, 21 & 40)	F
<u> (1) (J)</u>	Proceedings under advisement not to exceed thirty days	G
<u> </u>	Misc proc: Parole or prob rev, deportation, extradition	H
<u> (1) (H)</u>	Transportation from another district or to/from examination or hospitalization in ten days or less	6
<u> (1) (I)</u>	Consideration by Court of proposed plea agreement	7
<u> (2)</u>	Prosecution deferred by mutual agreement	I
<u> (3) (A) (B)</u>	Unavailability of defendant or essential witness	M
<u> (4)</u>	Period of mental or physical incompetence of defendant to stand trial	N
<u> (5)</u>	Period of NARA commitment or treatment	O
<u> (6)</u>	Superseding indictment and/or new charges	P
<u> (7)</u>	Defendant awaiting trial of co-defendant when no severance has been granted	R
<u> (8) (A) (B)</u>	Continuances granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance	T
<u> (8) (B) (I)</u>	1) Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. <i>(Continuance - miscarriage of justice)</i>	T1
<u>X</u>	2) Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. <i>(Continuance - tendered a guilty plea)</i>	
<u> (8) (B) (iii)</u>	2) Case unusual or complex	T2
<u> (8) (B) (iii)</u>	3) Indictment following arrest cannot be filed in thirty (30) days	T3
<u> (8) (B) (iv)</u>	4) Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare <i>(Continuance re counsel)</i>	T4
<u> 3161(I)</u>	Time up to withdrawal of guilty plea	U
<u> 3161(b)</u>	Grand jury indictment time extended thirty (30) more days	W

Date 3-14-08

[Signature]
Judge's Initials